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COORDINATION QUESTIONS

Relationship agreements between the United Nations and the specialized agencies: review and strengthening of sections pertaining to the common system of salaries, allowances and conditions of service

Note by the Secretary-General

The Secretary-General has the honour to transmit to the Economic and Social Council the comments of the Administrative Committee on Coordination on the report of the Joint Inspection Unit entitled "Relationship agreements between the United Nations and the specialized agencies: review and strengthening of sections pertaining to the common system of salaries, allowances and conditions of service" (JIU/REP/93/3).

Annex

COMMENTS OF THE ADMINISTRATIVE COMMITTEE ON COORDINATION ON THE REPORT OF THE JOINT INSPECTION UNIT ENTITLED "RELATIONSHIP AGREEMENTS BETWEEN THE UNITED NATIONS AND THE SPECIALIZED AGENCIES: REVIEW AND STRENGTHENING OF SECTIONS PERTAINING TO THE COMMON SYSTEM OF SALARIES, ALLOWANCES AND CONDITIONS OF SERVICE"

Scope of the study

1. The report of the Joint Inspection Unit was prepared by Inspectors A. Abraszewski and R. Quijano pursuant to General Assembly resolution 46/191 B of 31 July 1992. In that resolution, the Assembly called upon the Economic and Social Council to review and, where appropriate, strengthen the applicable sections of the relationship agreements between the United Nations and member organizations of the United Nations common system, in particular article VIII of the Agreement between the United Nations and the International Telecommunication Union, in order to enhance comparability and further adherence to the goals and objectives of the common system.

2. In response to that request, the Economic and Social Council, by its decision 1993/211 of 12 February 1993, decided to initiate, at its substantive session of 1993, under the item entitled "Coordination questions", a discussion of the relationship agreements between the United Nations and member organizations of the United Nations common system. For this discussion, the Council would take into account a report to be submitted by the Joint Inspection Unit, as well as a background document prepared by the Secretary-General and a progress report of the International Civil Service Commission on the implementation of section II.E of General Assembly resolution 47/216 of 23 December 1992.

3. Paragraph 1 of the executive summary of the report of the Joint Inspection Unit refers to the background of the report. The Inspectors explain, in paragraph 2, that the report will focus on those sections of the agreements that relate to personnel matters or to a unified international civil service.

4. The Administrative Committee on Coordination (ACC) notes, however, that the Inspectors have extended their analysis to a broader review of the relationship agreements in general and hence go beyond the focus that the General Assembly, in resolution 46/191 B, and the Economic and Social Council, in decision 1993/211, appear to have had in mind.

Recommendation I

5. The report envisages an eventual full-scale review of the relationship agreements. In preparation for this task, the Inspectors recommend that "ECOSOC should have a complete and up-to-date evaluation of the implementation of all agreements". In support of that view, the Inspectors draw attention to Council decision 1979/68 of 3 August 1979, in which the Council decided to keep under review the implementation of the relationship agreements. In fact, however, the Council has not returned to the matter since the adoption of that decision.

6. ACC notes that considerable attention has been devoted recently by the Member States of the United Nations to the reform and revitalization of the Economic and Social Council. General Assembly resolution 45/264 on the restructuring and revitalization of the United Nations in the economic, social and related fields contains important provisions that will contribute towards these aims. Furthermore, the General Assembly is in the process of considering additional measures to strengthen the role of the Council, particularly in regard to its coordination responsibilities.

7. The process of implementation of the measures set out in resolution 45/264 to establish high-level coordination and operational activities segments of the Council is under way. The new measures seek to respond to the basic issue in question - the capacity of the Council to effectively exercise its authority under the Charter, and to develop policy frameworks on major substantive issues which can fully engage concerted responses by the system. At the same time, ACC itself has undertaken an extensive restructuring of its own inter-agency machinery. In its decision 1993/313, the Council welcomed the action taken by ACC under the leadership of the Secretary-General to enhance the effectiveness of its functioning and to streamline its subsidiary machinery. At both the intergovernmental and inter-agency levels, therefore, there is an effort in train to reshape the existing machinery to better deal with the new challenges of a post-cold-war world, not least in the area of system-wide cooperation and collaboration. The measures being taken to mobilize all the organizations of the system in support of the follow-up to the United Nations Conference on Environment and Development are a case in point. ACC considers that the current efforts should be allowed time to bear fruit.

Recommendation II

8. In general, the organizations would confirm, as they have done in the past, and as the Inspectors themselves conclude in paragraph 7 of the executive summary, that the articles of the relationship agreements relating to the common system of salaries, allowances and conditions of service have been applied relatively well over the years. ACC noted, in April 1993, that there were no problems at the working level that would justify a review of the agreements.

9. The Inspectors recognize that, for the present, the strengthening of the common system of salaries, allowances and conditions of service could be sought by a variety of measures not involving revision. Ad hoc, partial revision of agreements, limited to provisions of personnel arrangements only, seems to be impractical and is not recommended at present. The Inspectors suggested that, at this stage, the strengthening of the common system should be sought through fuller, more active and specific application of existing coordination measures contained in the relationship agreements, e.g., the General Assembly and the Economic and Social Council addressing recommendations to the agencies, requests for assistance, participation by the United Nations and the agencies in the debates of main and subsidiary bodies, reciprocal inscription of items on the agendas of the governing bodies etc.

10. In supporting the thrust of this recommendation, ACC notes that a number of the measures suggested by the Inspectors are already in effect. Thus, both the General Assembly and the Economic and Social Council address recommendations to the agencies on a regular basis. Requests for assistance are frequently

directed to the agencies and are fully responded to, often through the relevant inter-agency mechanism. Representatives of specialized agencies actively take part in the debates in the main committees of the General Assembly, in the Economic and Social Council, the Committee for Programme and Coordination and other bodies. An important feature of the newly established Commission on Sustainable Development is the active participation of specialized agencies. Moreover, the specialized agencies have frequently made suggestions for the inscription of items on the agenda of the Council.

11. Other coordination measures provided for in the relationship agreements may be more actively applied, taking into account the diversity of the needs and the varieties of conditions existing in organizations across the common system, and the policy directives of the General Assembly, the Economic and Social Council and the governing bodies of the other organizations of the system concerning decentralization, the streamlining of the work of the organizations, and the strengthening of managerial accountability. Fuller application of specific coordination measures provided for in the agreements would also, in many instances, depend significantly on the wishes of Member States and the initiatives they chose to take in the relevant intergovernmental bodies.

Recommendation III

12. It remains the conviction of the organizations that the common system will best be strengthened through overall improvements in the conditions of service. The role played by the International Civil Service Commission in the coordination and regulation of those conditions of service is clearly established in the Commission's statute. The relationship between the organizations and the Commission is also clearly defined in that statute and would not appear to require redefinition. At the same time, there is always room for improving the day-to-day working relations between the Commission, its secretariat and the relevant organs and secretariats of the specialized agencies.

13. Care must be taken, however, to ensure that such improvements in communications are practical and relevant. ACC is of the view that it would not be beneficial to impose the participation of the Commission at meetings of governing bodies; nor would it always be legally feasible to assure the Commission's participation, in its own right, at such meetings. Such participation should, as one governing body has already decided, best be left to the discretion of the concerned executive heads. However, as the Inspectors suggest, benefits are likely to result from (a) increasing the Commission's exposure to the organizations - particularly to the specialized technical roles of many of the agencies - and (b) enhancing the consultation process between the Commission and the administrations and staff of the specialized agencies to the extent that the current financial restrictions allow.

Recommendation IV

14. The proposal of the Inspectors for additional recourse to be made to the practice of formulating agreed interpretations and understandings of the relevant provisions of the relationship agreements by the Economic and Social Council, the General Assembly and the governing bodies of the agencies appears to envisage a process of consultation with a view to arriving at such

interpretations and understandings. The Inspectors make reference to the view expressed by Mr. Martin Hill to the effect that "So much could be done and more easily by simple decisions supported and pressed for by Member States in the General Assembly and in ECOSOC and in the organs of the agencies themselves" (E/1993/119, para. 80).

15. In the spirit of its comments on recommendation I, ACC believes that little difficulty would be encountered in reaching agreement on coordinated inter-agency action on specific programme questions once Member States have debated and agreed on well-conceived courses of action on the many urgent issues on the international agenda.

Recommendation V

16. A number of organizations have for some time been successfully arranging for the provision of personnel for United Nations peace-keeping operations. In this context, there are already inter-agency agreements on the transfer, secondment or loan of staff among the organizations applying the common system of salaries and allowances. These inter-agency agreements are working well and have provided a suitable legal framework within which the specialized agencies have put their staff at the disposal of the United Nations. The need for further arrangements to regularize the modalities for practical cooperation would therefore have to be clearly identified before any new inter-agency agreements were entered into. Legal advice would also need to be sought as to the authority of the executive heads to enter into any such supplementary agreements. The provision of staff for peace-keeping operations remains, of course, subject to the mandate laid down by the governing bodies of the agencies.

Recommendation VI

17. The organizations welcome this recommendation. Some complications in the personnel management of the organizations might well be avoided if Member States' representatives maintained consistent positions in the governing bodies of different organizations.

Recommendation VII

18. This recommendation is addressed to Member States.

Recommendation VIII

19. The chief reason for the joint CPC/ACC meetings has been and should continue to be a consultation on the coordination aspects of substantive questions. The proposal to devote a portion of the high-level segment of the Economic and Social Council to system-wide coordination (as the coordination segment fully and the operational activities segment in large part already do) is a question for the Member States to address.